SIKKIM

GOVERNMENT GAZETTE

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GOVERNMENT OF SIKKIM
MOTOR VEHICLES DIVISION
TRANSPORT DEPARTMENT
GANGTOK

No. 67/MV/T **Dated, Gangtok the 9th April, 2007.**

NOTIFICATION

In pursuance of the provisions under sub-section (5) of section 88 of the Motor Vehicle Act, 1988 "Draft Reciprocal Transport Agreement" was executed between the States of West Bengal and Sikkim and the same was published in 'The Kolkata Gazette, Extraordinary' dated 13th February, 2004, vide notification No. 5182- WT dated 14.12.2003 and subsequently a notice was published in the newspaper on 22.4.2004 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of publishing in the newspapers.

AND, WHEREAS, no objection was received within the stipulated period as fixed on in the said notice;

Now, therefore, both the Government of West Bengal and Sikkim hereby agreed to enter into a Reciprocal Transport Agreement for encourage and regulating the movement of transport vehicles between the two reciprocating States. The Governor is hereby pleased to publish finally the "Reciprocal Transport Agreement" as agreed upon by both the States of West Bengal and Sikkim in terms of provisions laid down under sub-section (6) of section 88 of the Motor Vehicle Act, 1988 and in supersession of all previous transport agreement made between the two States.

RECIPROCAL TRANSPORT AGREEMENT, 2007.

WHEREAS it is necessary to enter into reciprocal transport agreement for public interest with a view to encouraging the movement of transport vehicles on enter-State routes between the States of West Bengal and Sikkim, regulating and controlling their operation, providing infrastructure facilities to the industry and trade, extending adequate amenities to the traveling public bringing about discipline as well as stopping unhealthy competition amongst the transport operators and also creating scope of employment.

Terms and condition of this reciprocal transport agreement, 2007 agreed by both the States are set out herein below to regulate the movement of transport vehicle between the reciprocating States. This reciprocal transport agreement shall be valid till it is replaced by another fresh agreement by mutual consent for reasons to be given in writing by either State Government.

A) Goods Carriage:

1. Permanent Goods Carriage Permits:

(a) It is agreed upon by both the States that permanent goods carriage permit will be issued in respect of medium goods vehicle including oil tanker intending to ply between the State of Sikkim and within West Bengal/particular(s) district of West Bengal. The permissible Gross Vehicular Weight will be 16.2 M. Tones.

(b) It is agreed that STA, Sikkim will countersign goods carriage permit of 500 nos. of goods vehicle and 95 nos. of oil tanker on recommendation of the RTA, Darjeeling / RTA, Jalpaiguri/ STA, West Bengal. Countersignature will be granted to ply authorized vehicles registered in West Bengal in the state of Sikkim (excluding restricted zone/ area of Sikkim) and within West Bengal/ particular district(s) of West Bengal.

(c) STA, West Bengal will countersign the goods carriage permit of 300 nos. of goods vehicle and 50 nos. of oil tanker on recommendation of STA, Sikkim. Countersignature will be granted by the STA, West Bengal in respect of vehicle registered in Sikkim to ply all over West Bengal and Sikkim.

(d) RTA, Darjeeling will countersign the goods carriage permit of 500 nos. of goods vehicle and 90 nos. of oil tanker on recommendation of STA, Sikkim. Countersignature will be granted by the RTA, Darjeeling in respect of vehicles registered in Sikkim to ply between Sikkim and the district of Darjeeling only.

(e) RTA, Jalpaiguri is empowered under the special provision of the agreement to countersign the goods carriage and contract carriage, permit on recommendation of STA, Sikkim in respect of 100 nos. of goods vehicle and 50 nos. of oil tanker to ply between Sikkim and district of Jalpaiguri via Darjeeling district

(f) Countersignature permit will be granted for one year at a time in respect of goods carriages vehicles subject to payment of requisite fees as fixed by the Government of reciprocating State in case of grant of countersignature of goods carriage permit.

2. Temporary Permits in respect of Goods Carriage:

Temporary permits under Section 87(1)(b) & (c) in respect of light goods vehicle will be issued by the RTA, Darjeeling/RTA, Jalpaiguri and STA, West Bengal for the State of West Bengal and STA, Sikkim for the State of Sikkim carrying materials bonafide domestic purpose and not commercial purpose except dangerous/hazardous goods to ply between the State of Sikkim (except restricted zone /area) and district of Darjeeling /district of Jalpaiguri and all over West Bengal for the period not exceeding 1 (one) week for single journey only shall be exempted from countersignature under the special provision of permit as agreed upon by the two States – West Bengal and Sikkim.

B) Passenger Service

1: Stage Carriage

(a) It is agreed by both the States that permanent stage carriage permits issued already in terms of previous transport agreement will be operative and valid along with the stage carriage permits to be issued in terms of this agreement 'Reciprocal Transport agreement – 2007'.

(b) Any extension/variation of a portion of an inter- State route may be granted only by the permit issuing State, subject to consent of the reciprocating State if the portion under consideration lies in the State. But that extension/variation should be within the limit of 24 kms.

(c) The operators of the parent State shall get preference in the matter of timetable over the operators of reciprocating State.

(d) Countersignature will be granted in the case of permanent stage carriage permit by the STA of either State for one year at a time subject to payment of requisite fees as fixed by Government of reciprocating State for grant of countersignature of stage carriage permit.

(e) Both the States agree to allow corridor facilities to vehicles covered under stage carriage, permit where originating and terminating point fall in the same State by using a part of roads of the reciprocating State within 16 kms without countersignature.

(f) It is agreed that Stage carriage permit will be issued only in respect of light motor vehicle (omnibus) having maximum seating capacity between 27 and 36 including driver and the vehicles would have 4 wheels in the rear portion of it.

(g) It is hereby agreed that the following stage carriage routes shall operate on the inter-State region. The number of permit to be granted by STA of each State shall be limited to the quota as shown against each route along with alignment as agreed upon.

List of Stage Carriage Routes

Sl. No	Name of Route	Quota of Permits	
		West Bengal	Sikkim
1	Darjeeling -Gangtok	08	08
2	Kalimpong – Gangtok	04	06
3	Siliguri – Jorethang	05	08
4	Siliguri – Gangtok	13	26
5	Siliguri – Rongli	03	03
6	Panitanki - Gangtok	03	06
7	Jaigaon- Gangtok	04	08
8	Gangtok - Kolkata	05	05
9	Jalpaiguri - Gangtok	03	06

2. Contract Carriage Permit.

(a) It is agreed that both the reciprocating States will issue permanent contract carriage permit in respect of Maxi cab and Motor Cab (4 - wheeler) intending to ply between the State of Sikkim (excluding restricted zones/area) and all over West Bengal/ particular districts of West Bengal and the permit will be recommended by STA for countersignature for plying in the reciprocating State without any restriction in number.

(b) STA, West Bengal will grant countersignature of the contract carriage permit recommended by the STA, Sikkim for plying the vehicle (Maxi cabs and Motor cabs) covered by the permit between the State of Sikkim and all over West Bengal/ particular district(s) of West Bengal.

(c) STA, Sikkim will grant countersignature of the contract carriage permits recommended by the STA, West Bengal (RTA, Darjeeling / RTA Jalpaiguri) for plying the vehicle (Maxi cabs and Motor cabs) between all over West Bengal/particular districts of West Bengal and Gangtok in East district, Pelling in West district and Namchi bazaar in the South district of the State of Sikkim.

(d) Countersignature will be granted by the STA, of either State for one year at a time subject to payment of requisite fees as fixed by the Government of reciprocating State in case of grant of countersignature of contract carriage permit.

3. Special Permit:

(a) It is agreed that the special permits under Section 88(8) of the Motor Vehicle Act, 1988 shall be issued by the STA of either State without any restriction of number in respect of tourist, marriage parties, jatra parties, medical treatment for sick persons, pilgrimage etc. for the period not exceeding 15 days to ply between the two States West Bengal and Sikkim (excluding restricted zones/area) for single up and single down journey only.

(b) Such permit shall be supplied with lists of passenger approved and authenticated under proper seal and signature by the permit issuing authority along with chronological tour programme.

(c) Special permit will be issued in respect of Light Motor Vehicle (Omnibus) having maximum seating capacity between 27 and 36 including driver and the vehicle would have 4 wheels in the rear portion of it and Maxi Cab and Motor Cab(4 - wheeler) also.

C. **Taxation:**

Motor Vehicle Tax, Additional Tax and other taxes in respect of both the reciprocating States are exempted.

D. **Rules:**

The vehicles of one reciprocating State plying in the other reciprocating State shall abide by the Motor Vehicles Act, 1988 and Motor Vehicles Rules of the other reciprocating State.

E. **General**:

(a) Any restriction imposed by the signatory State in its territory under provisions of the Motor Vehicle Act, 1988 shall equally be applicable to vehicles of both the State.

(b) Permit granting State will grant fresh permit or renew permit on verification of countersignature of the previous permit by the reciprocating State.

(c) Both the States agreed corridor facilities to vehicles originating from each State and destined for third State or country like Nepal/ Bhutan/ Assam etc. under valid permit and countersignature.

(d) If in the public interest it is necessary to open any new inter-State route beyond the quota fixed in the Reciprocal Agreement, the procedure of prior concurrence, as envisaged under section 88 (7) of the Motor Vehicle Act, 1988, shall be followed by both the States.

(e) Any change or correction in any Clause of this agreement or any addition or deletion of route(s) or any correction/ change in the alignment of route(s) shown in this agreement may be done by the mutual consent after discussion and that change or correction is to be reflected in the supplementary Reciprocating Transport Agreement between the State of West Bengal and Sikkim.

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Additional Chief Secreetary
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